

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

20

DECISION

TOPIC

Final Rule - Chapter 40, Speed & Distance Zoning

The Commission is requested to adopt a final rule to amend Chapter 40, “Speed & Distance Zoning,” of 571 IAC. This amendment will provide an administrative allowance for the designation of public swimming areas at Clear Lake in Cerro Gordo County by placement of regulatory marker buoys. Currently, two buoyed public swimming areas exist; City Beach on the north shore and State Park Beach on the south shore. No comments were received at the public hearings or during the comment period and no changes were made to the Notice of Intended Action, which was published August 29, 2007.

Kenneth Herring, Administrator
Conservation and Recreation Division

October 11, 2007

Attachment: Chapter 40 Adopted and Final Rule

NATURAL RESOURCES COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 455A.5(6), the Natural Resource Commission adopts amendment to Chapter 40 “Boating Speed and Distance Zoning,” Iowa Administrative Code.

This amendment provides for the designation of public swimming areas at Clear Lake in Cerro Gordo County by placement of regulatory buoys in such a way as to define the swimming area.

Notice of Intended Action was published in the Iowa Administrative Bulletin on August 29, 2007, as ARC6201B. Public hearings were held at Clear Lake State Park conference room on September 19, 2007, and the Wallace State Office Building on September 25, 2007. No written or oral comments were received at the hearings or during the comment period. No changes were made from the Notice of Intended Action.

This amendment is intended to implement Iowa Code section 456A.25.

The following amendment will become effective December 12, 2007.

Amend 571—Chapter 40 by adopting the following new rule:
571--40.55(462A) Zoning of Clear Lake, Cerro Gordo County. Areas may be specifically designated for swimming with the use of regulatory buoys.

Date

Richard A. Leopold, Director